

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOSEPH J. WATLEY,	:	No. 3:16-CV-2059
Plaintiff	:	
	:	(Judge Caputo)
v.	:	
	:	Electronically Filed Document
MICHAEL FELSMAN, DANIEL	:	
NILON, AND JAMES SOHNS,	:	<i>Complaint Filed 10/13/16</i>
Defendants	:	

DEFENDANTS' PROPOSED SPECIAL VERDICT QUESTIONS

1. Was the force used by Corporal Felsman against Mr. Watley on May 12, 2018 reasonable under the circumstances?

_____ Yes

_____ No

_____ Evidence is equally balanced

If you answered "Yes" or "Evidence is equally balanced" to this question, proceed to Question 14.

If you answered "No" to this question, proceed to the next question.

2. Did the force used by Corporal Felsman on May 12, 2018 cause harm to Mr. Watley?

_____ Yes

_____ No

_____ Evidence is equally balanced

If you answered “No” or “Evidence is equally balanced” to this question, proceed to Question 5.

If you answered “Yes” to this question, proceed to the next question.

3. Is Corporal Felsman liable to Mr. Watley for the harm caused by this use of force on May 12, 2018?

_____ Yes

_____ No

_____ Evidence is equally balanced

If you answered “No” or “Evidence is equally balanced” to this question, enter \$1.00 in response to Question 4 and proceed to Question 5.

If you answered “Yes” to this question, proceed to the next question.

4. What amount will fairly compensate Mr. Watley for the injuries he received as a result of Corporal Felsman's use of force on May 12, 2018?

\$ _____

Proceed to the next question.

5. Did Corporal Felsman act with the intent to place Mr. Watley in apprehension of imminent harmful or offensive bodily contact on May 12, 2018?

_____ Yes

_____ No

_____ Evidence is equally balanced

If you answered “No” or “Evidence is equally balanced” to this question, proceed to Question 10.

If you answered “Yes” to this question, proceed to the next question.

6. Did Mr. Watley actually experience apprehension of imminent harmful or offensive bodily contact due to the actions of Corporal Felsman on May 12, 2018?

_____ Yes

_____ No

_____ Evidence is equally balanced

If you answered “No” or “Evidence is equally balanced” to this question, proceed to Question 10.

If you answered “Yes” to this question, proceed to the next question.

7. Did the apprehension of imminent harmful or offensive bodily contact caused by Corporal Felsman on May 12, 2018 cause harm to Mr. Watley?

_____ Yes

_____ No

_____ Evidence is equally balanced

If you answered “No” or “Evidence is equally balanced” to this question, proceed to Question 10.

If you answered “Yes” to this question, proceed to the next question.

8. Is Corporal Felsman liable to Mr. Watley for the harm caused by this apprehension of imminent harmful or offensive bodily contact on May 12, 2018?

_____ Yes

_____ No

_____ Evidence is equally balanced

If you answered “No” or “Evidence is equally balanced” to this question, enter \$1.00 in response to Question 9 and proceed to Question 10.

If you answered “Yes” to this question, proceed to the next question.

9. What amount will fairly compensate Mr. Watley for the injuries he received as a result of Corporal Felsman causing him apprehension of imminent harmful or offensive bodily contact on May 12, 2018?

\$ _____

Proceed to the next question.

10. Did Corporal Felsman intentionally cause harmful or offensive bodily contact with the person of Mr. Watley on May 12, 2018?

_____ Yes

_____ No

_____ Evidence is equally balanced

If you answered “No” or “Evidence is equally balanced” to this question, proceed to Question 14.

If you answered “Yes” to this question, proceed to the next question.

11. Did the harmful or offensive bodily contact by Corporal Felsman cause injury to Mr. Watley on May 12, 2018?

_____ Yes

_____ No

_____ Evidence is equally balanced

If you answered “No” or “Evidence is equally balanced” to this question, proceed to Question 14.

If you answered “Yes” to this question, proceed to the next question.

12. Is Corporal Felsman liable to Mr. Watley for the injury caused by his harmful or offensive bodily contact on May 12, 2018?

_____ Yes

_____ No

_____ Evidence is equally balanced

If you answered “No” or “Evidence is equally balanced” to this question, enter \$1.00 in response to Question 13 and proceed to Question 14.

If you answered “Yes” to this question, proceed to the next question.

13. What amount will fairly compensate Mr. Watley for the injuries he received as a result of Corporal Felsman causing him harmful or offensive bodily contact on May 12, 2018?

\$ _____

Proceed to the next question.

14. Did Corporal Felsman unlawfully seize Mr. Watley on May 12, 2016?

☒ Yes

☐ No

☐ Evidence is equally balanced

If you answered “No” or “Evidence is equally balanced” to this question, proceed to Question 18.

15. Did the seizure of Mr. Watley by Corporal Felsman on May 12, 2018 cause harm to Mr. Watley?

☐ Yes

☐ No

☐ Evidence is equally balanced

If you answered “No” or “Evidence is equally balanced” to this question, proceed to Question 18.

If you answered “Yes” to this question, proceed to the next question.

16. Is Corporal Felsman liable to Mr. Watley for the seizure on May 12, 2018?

_____ Yes

_____ No

_____ Evidence is equally balanced

If you answered “No” or “Evidence is equally balanced” to this question, enter \$1.00 in response to Question 17 and proceed to Question 18.

If you answered “Yes” to this question, proceed to the next question.

17. What amount will fairly compensate Mr. Watley for the injuries he received as a result of Corporal Felsman’s use of force on May 12, 2018?

\$ _____

Proceed to the next question.

18. If you found that Corporal Felsman violated Mr. Watley's rights, did Corporal Felsman act purposefully to maliciously and wantonly violate Mr. Watley's rights? (If you did not find such a violation, proceed to Question 21)

_____ Yes

_____ No

_____ Evidence is equally balanced

If you answered "No" or "Evidence is equally balanced" to this question, proceed to Question 21.

If you answered "Yes" to this question, proceed to the next question.

19. Do you wish to award punitive damages to Mr. Watley to punish Corporal Felsman?

_____ Yes

_____ No

_____ Evidence is equally balanced

If you answered "No" or "Evidence is equally balanced" to this question, proceed to Question 21.

If you answered "Yes" to this question, proceed to the next question.

20. What amount will punish Corporal Felsman and deter him and others from committing similar wrongful acts in the future?

\$ _____

Proceed to the next question.

21. Did Corporal Nilon and Trooper Sohns search Mr. Watley's vehicle on May 11, 2016 pursuant to standard police procedure?

_____ Yes

_____ No

_____ Evidence is equally balanced

If you answered "Yes" or "Evidence is equally balanced" to this question, proceed to Question 28.

22. Did the search of Mr. Watley's vehicle on May 11, 2018 cause harm to Mr. Watley?

_____ Yes

_____ No

_____ Evidence is equally balanced

If you answered "No" or "Evidence is equally balanced" to this question, please sign the last page of the verdict slip and notify the Court.

If you answered "Yes" to this question, proceed to the next question.

23. Are Corporal Nilon and Trooper Sohns liable to Mr. Watley for the vehicle search on May 11, 2018?

_____ Yes

_____ No

_____ Evidence is equally balanced

If you answered “No” or “Evidence is equally balanced” to this question, enter \$1.00 in response to Question 24 and proceed to Question 25.

If you answered “Yes” to this question, proceed to the next question.

24. What amount will fairly compensate Mr. Watley for the injuries he received as a result of the search of his vehicle being searched by Corporal Nilon and Trooper Sohns on May 11, 2018?

\$ _____

Proceed to the next question.

25. If you found that Corporal Nilon violated Mr. Watley's rights, did Corporal Nilon act purposefully to maliciously and wantonly violate Mr. Watley's rights?

_____ Yes

_____ No

_____ Evidence is equally balanced

If you answered "No" or "Evidence is equally balanced" to this question, proceed to Question 28.

If you answered "Yes" to this question, proceed to the next question.

26. Do you wish to award punitive damages to Mr. Watley to punish Corporal Nilon?

_____ Yes

_____ No

_____ Evidence is equally balanced

If you answered "No" or "Evidence is equally balanced" to this question, proceed to Question 28.

If you answered "Yes" to this question, proceed to the next question.

27. What amount will punish Corporal Nilon and deter him and others from committing similar wrongful acts in the future?

\$ _____

Proceed to the next question.

28. If you found that Trooper Sohns violated Mr. Watley's rights, did Trooper Sohns act purposefully to maliciously and wantonly violate Mr. Watley's rights?

_____ Yes

_____ No

_____ Evidence is equally balanced

If you answered "No" or "Evidence is equally balanced" to this question, please sign the last page of the verdict form and notify the Court.

If you answered "Yes" to this question, proceed to the next question.

29. Do you wish to award punitive damages to Mr. Watley to punish Trooper Sohns?

_____ Yes

_____ No

_____ Evidence is equally balanced

If you answered "No" or "Evidence is equally balanced" to this question, please sign the last page of the verdict form and notify the Court.

If you answered "Yes" to this question, proceed to the next question.

30. What amount will punish Trooper Sohns and deter him and others from committing similar wrongful acts in the future?

\$ _____

Please sign the verdict form and notify the Court.

Foreperson